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Paper No. 9

POULSEN ROSER PACIFIC, INC.
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OFFICE OF PETITIONS

In re Application of
Pernille Olesen, et al
Application No. 09/607,327
Filed: June 39, 2000
Attorney Docket No. None

ON PETITION

This is a decision on the petition to revive the above-identified application under the provisions of 37 CFR 1.137(b), filed September 10, 2004¹.


The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed June 6, 2001. A Notice of Abandonment was mailed on April 4, 2002.

The above-identified application has been abandoned for an extended period of time. The U.S. Patent and Trademark Office is relying on petitioner's duty of candor and good faith and accepting the statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. See Changes to Patent Practice and Procedure, 62 Fed. Reg. at 53160 and 53178; 1203 Off. Gaz. Pat. Office at 88 and 103 (responses to comments 64 and 109) (applicant obligated under 37 CFR 10.18 to inquire into the underlying facts and circumstances when providing the statement required by 37 CFR 1.137(b) to the Patent and Trademark Office). In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that it is not correct that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, petitioner must notify the Office.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3204. All other inquiries regarding this application should be directed to the Technology Center.

The application file is being forwarded to Technology Center Art Unit 1661 for consideration of the amendment filed September 10, 2004.


Sherry D. Brinkley
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

¹ The petition filed September 10, 2004 was unsigned. However, a ratification of the unsigned petition was filed on November 12, 2004.